

**UNITED STATES DISTRICT COURT
SOUTHERN DISTRICT OF OHIO
EASTERN DIVISION**

ALVA WILHELM, et al.,

Plaintiffs,

v.

Case No. C2-03-786

JUDGE GREGORY L. FROST

Magistrate Judge Mark R. Abel

KNOX COUNTY, OHIO, et al.,

Defendants.

ORDER

This matter came on for a jury trial July 25th, 26th, 27th, 28th and August 1st, 2005 upon the complaint of Plaintiffs.

The jury was duly empaneled and sworn. Testimony was taken and evidence presented.

After due deliberations, the jury returned the following answers to the interrogatories submitted and the following general verdicts:

1. On Plaintiff Alva Wilhelm's claim against Defendant Kevin Carpenter, the jury found that Defendant Carpenter did not use excessive force, did not assault, and did not commit a battery as to Plaintiff Alva Wilhelm and the jury returned a General Verdict in favor of Defendant Kevin Carpenter.
2. On Plaintiff Bradley Wilhelm's claims against Defendant Kevin Carpenter, the jury found that Defendant Carpenter did not use excessive force, did not assault, did not commit battery, and did not intentionally inflict emotional distress as to Plaintiff Bradley Wilhelm and the jury returned a General Verdict in favor of Defendant Kevin Carpenter.

3. On Plaintiff Bradley Wilhelm's claims against Defendant Mark Rutherford, the jury found that Defendant Rutherford did not use excessive force, did not assault, did not commit battery, and did not intentionally inflict emotional distress as to Plaintiff Bradley Wilhelm and the jury returned a General Verdict in favor of Defendant Mark Rutherford.
4. On Plaintiff Bradley Wilhelm's claims against Defendant William Baer, the jury found that Defendant Baer did not use excessive force, did not assault, did not commit battery, and did not intentionally inflict emotional distress as to Plaintiff Bradley Wilhelm and the jury returned a General Verdict in favor of Defendant William Baer.
5. On Plaintiff Bradley Wilhelm's claims against Defendant James Samuell, the jury found that Defendant Samuell did not use excessive force, did not assault, did not commit battery, and did not intentionally inflict emotional distress as to Plaintiff Bradley Wilhelm and the jury returned a General Verdict in favor of Defendant James Samuell.
6. On Plaintiff Bradley Wilhelm's claims against Defendant Jeff Jacobs, the jury found that Defendant Jacobs did not use excessive force, did not assault, did not commit battery, and did not intentionally inflict emotional distress as to Plaintiff Bradley Wilhelm and the jury returned a General Verdict in favor of Defendant Jeff Jacobs.
7. On Plaintiff Bradley Wilhelm's claims against Defendant Troy Glazier, the jury found that Defendant Glazier did not use excessive force, did not assault, did not

commit battery, and did not intentionally inflict emotional distress as to Plaintiff Bradley Wilhelm and the jury returned a General Verdict in favor of Defendant Troy Glazier.

8. On Plaintiff Bradley Wilhelm's claims against Defendant Richard Dzik, the jury found that Defendant Dzik did not use excessive force, did not assault, did not commit battery, and did not intentionally inflict emotional distress as to Plaintiff Bradley Wilhelm and the jury returned a General Verdict in favor of Defendant Richard Dzik.

The Court finds that the answers to the Interrogatories are consistent with each other and are consistent with the General Verdicts. The Court accepts the answers to the Interrogatories and the General Verdicts.

IT IS THEREFORE THE ORDER OF THIS COURT that a judgment is entered in favor of all Defendants, Kevin Carpenter, Mark Rutherford, William Baer, James Samuell, Jeff Jacobs, Troy Glazier, and Richard Dzik and against the Plaintiffs, Alva Wilhelm and Bradley Wilhelm on all claims.

IT IS SO ORDERED.

/s/ Gregory L. Frost
GREGORY L. FROST
UNITED STATES DISTRICT JUDGE